

ARTICLES

OF
ALLIANCE and COMMERCE,
Between

The most Serene and Potent PRINCE

CHARLES II.

By the Grace of God, King of
Great Britain, France, and Ireland,
Defender of the Faith, &c.

AND THE

most Serene and Potent Prince

CHRISTIAN V.

By the Grace of God, King of
Denmark, Norway, &c.

Contracted at Copenhagen, the 11th day of July, 1670.

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ARTICLES

OF THE

CHURCH



CHRISTIAN



*Articles of Alliance and Commerce between
the Most Serene and Potent Prince,
Charles the Second, By the Grace of God,
King of Great Britain, France, and
Ireland, Defender of the Faith, &c.
and the Most Serene and Potent Prince
Christian the Fifth, by the Grace of God,
King of Denmak, Norway, &c. Con-
cluded at Copenhagen the 11th day of
July. 1670.*

I.

That there be between the two
Kings, their Heirs and Successors;
As also their Kingdoms, Principa-
lities, Provinces, Estates, Coun-
ties, Islands, Cities, Subjects
and Vassals of what condition,
dignity and degree soever, by Land and Sea, in
Rivers, Fresh Waters, and all places wh atsoever as
well in Europe, as out of Europe, now and for the time

to come, a sincere, true and perfect friendship, Peace and Confederation ; So as that neither party do any wrong, injury or prejudice to the Kingdoms, Principalities, Provinces, and Estates, or to the inhabitants and Subjects of the other ; nor suffer any to be done by others, as much as in him is : But rather live as friends together, using each other, with good will and respect ; And promoting upon all occasions the interests, and advantages of each other, and their subjects, as if they were their own : And Preventing and hindring with all their power, by their Assistance, and Advice, any damage, wrong and injury that may be offered them.

II.

Neither of the foresaid Kings and their Heirs shall consent to any thing, that may be to the prejudice or detriment of his Allie ; but if either of the Kings shall know that any thing is proposed, or is in agitation or contrivance, or that will be proposed, agitated or contrived which may tend to the detriment of the other ; He shall be obliged to signify the same unto Him without delay, and in the mean time to hinder and prevent it by all ways possible.

III.

The foresaid Kings for themselves, their Heirs and Successors mutually do undertake and promise, that they will not aide or furnish the Enemies of either party, that shall be Aggressors, with any Provisions
of

of War, as Souldiers, Arms, Engines, Guns, Ships, or other necessities for the use of War, or suffer any to be furnished by their Subjects : But if the Subjects of either Prince shall presume to act contrary hereto, then that King, whose Subjects shall have so done, shall be obliged to proceed against them with the highest severity, as against seditious persons and breakers of the League;

IV.

It is further Covenanted and Agreed ; That if at any time hereafter, Any Prince or State shall invade, or by any hostile way Attempt upon the Hereditary Kingdomes, Provinces, Counties, Towns, Islands, Territories, or Dominions of the King of Denmark which he now possesseth, then the King of Great Britain shall Assist the said King of Denmark in time, with such number of Land forces and Ships of War, against such Aggressor, as shall suffice to repell the force, and as the state of the said Kings affairs shall require. And the said King of Great Britain shall therefore with all his power endeavour to hinder, that by such invasion or disturbance the King of Denmark be not prejudiced in any wise in his Kingdoms, Dominions or Rights. And if the said King of Great Britain, or the said King of Denmark, shall contract or make any League, Alliance or Union with any other King, Prince, Commonwealth or State, they shall respectively endeavour to comprehend therein each other and their Dominions, (as much as in them lies) if they shall desire to be comprehended.

V. It

It shall be lawful for the Subjects of both Kings with their Commodities and Merchandise both by Sea and Land, in time of Peace without licence or safe Conduct General or Special to come to the Kingdoms, Provinces, Mart-towns, Ports and Rivers of each other, and in any place therein to remain and trade, Paying Usual Customs and Duties; Reserving nevertheless to either Prince his Superiority, and Regal jurisdiction in his kingdoms, Provinces, Principalities and Territories respectively.

VI.

It is notwithstanding Covenanted and Concluded, That the Subjects of the King of Great Britain shall in no wise come to the Prohibited Ports, of which mention is made in Precedent Treaties, nor Colonies, without the Special Licence of the King of Denmark first desired and obtained; unless they shall be compelled to make thither, and enter therein, by stress of Weather, or pursuit of Pirates, in which case neither shall it be lawfull for them to buy or sell. As also in like manner the Subjects of the King of Denmark shall not come to the British Colonies, unless by Special Licence of the King of Great Britain first desired and obtained.

VII. It

VII.

It shall be lawful for the Subjects of the Most Serene King of Denmark to bring into their own Stores and Ware-houses in England, Scotland and Ireland, and other the Ports of the King of Great Britain in Europe, such Commodities as now, or hereafter, shall be of the growth and production of the Estates, Countries and Dominions Subject to the King of Denmark, or of the Manufacture thereof, and likewise such as come from any part of the River of Elbe.

In like manner shall it be lawfull for the Subjects of the King of Great Britain to import and bring into Denmark, Norway, and all other Ports and Colonies not prohibited of the King of Denmark, all kinds of Merchandise, which now or hereafter shall be produced or made in the Kingdoms, Countries and Estates under the Subjection of the King of Great Britain. But if at any time hereafter it be permitted to any forein Nations, to bring all kinds of Commodities without exception into England, Scotland and Ireland; and other the Ports belonging to the King of Great Britain, then the same also shall be lawfull for the Subjects of the King of Denmark: Which in like manner shall be permitted to the Subjects of the King of Great Britain, upon the like occasion, in the Prohibited Ports and Colonies of the King of Denmark.

VIII.

It is also Covenanted and agreed, that the people
and

and Subjects of the King of Great Britain, Sailing to any the Hereditary Kingdoms, Countries, or Dominions, of the King of Denmark, or trading in the same, shall pay no more or greater Customs, Tribute, toll or other Duties, nor in any other manner, then the People of the United Provinces of the Low-countries, and other strangers, (the Swede onely excepted) trading thither, and Paying lesser Customs, do or shall pay: And in going, returning, and staying, as also in fishing and trading, and all other things shall enjoy the same Liberties, Immunities, and Priviledges, which the People of any forrein Country in the said Kingdoms, and Dominions of the King of Denmark, abiding and trading, do or shall enjoy: And so on the other side the People and Subjects of the King of Denmark, shall have and enjoy the same Priviledges, in the Countries, and Territories, of the King of Great Britain, to wit, that the People and Subjects of the King of Denmark, Sailing to any the Kingdoms, Countries, or Dominions of the King of Great Britain, or trading in the same, shall not pay any more or greater Customs, Tributes, Toll, or other Duties, nor in any other manner, then the People of the United netherlands, or other Strangers trading thither and paying lesser Customs, do or shall pay: And in going, returning and staying, as also in fishing, and trading, and all other things shall enjoy the same Liberties, Immunities and Priviledges, which the People of any other Forrein Country, in the said Kingdoms, and Dominions of the King of Great Britain, abiding and trading, do or shall enjoy: But so, as that the Po-
wer

wer of each King of Making or Altering Customs, or other Duties, as they shall see occasion, in their respective Kingdoms, Countries, Dominions, and Ports, remain full and entire; Provided the foresaid equality be strictly observed on both sides in manner aforesaid.

IX.

It is also covenanted that when the Subjects of either King have imported their Commodities into the Dominions of the other, have Paid the usual Customs for them and undergone their Search, it shall be free and lawfull for them, to bring their said Commodities into their own proper Storehouses, and Cellars, or into places which they shall think most fit and convenient, and there Store them; Nor shall any Magistrate or Officer of any the Cities or Ports, or either impose upon them any Cellars or Storehouses without their consent.

X.

The Subjects of either Crown trading upon the Seas, and Sailing by the Coasts of either Kingdom, shall not be obliged to come into any Port, if their course were not directed thither; but shall have liberty to pursue their Voyage without hindrance or detention whithersoever they please. Nor shall they being by tempest forced into Port, and there remaining, be obliged to unlade their Cargo, or to bargain or sell any part thereof; But it shall be lawfull for them,

them, to dispose of it as they shall think fit, and to do any other thing, which they shall judge most for their advantage: Provided nothing be done that may be to the detraiment of either Prince of his due Rights and Customs.

XL.

XI

It is also agreed, That after any Planks, Masts, and other sorts of Timber, have been once put on board the Ships of the Subjects or People of the King of Great Britain, they shall not be liable to any further Search; But all Search, or scrutiny, shall be made before: And if then, either Oaken or other prohibited Timber be found, it shall be presently stop'd and detain'd upon the place before it be put on board the Ships: Nor shall the People of the said King of Great Britain, or his Subjects, be therefore molested in their Persons or Estates by Arrest, or other detention whatsoever: But onely the Subjects of the King of Denmark, who shall have presumed to Sell or Alienate any the like prohibited Timber, shall be punished in due manner. And the People and Subjects of the King of Great Britain, shall have possess and enjoy all and singular the contents and concessions of this Article, without any Molestation or Interruption, so long and for all such time as the Subjects or any of the People of the United-Netherlands shall hold, possess, and enjoy, or might, or ought to hold, possess, and enjoy the same or like priviledges by any Treaty already made, or to be made, or by any Contract, Agreement or permission.

XII. It

case by the Dutch Nation or any other Subjects :
 Which shall be referred to the Subjects
 of the Kingdom of Denmark in the

It is also Concluded and Agreed, That all Ships be-
 longing to the Subjects of the King of Great Britain,
 and Merchants in their passage through the Sound
 under the Most Serene King of Denmark and Norway,
 &c. shall enjoy after the same manner the Benefit and
 Privilege of deferring the Payment of their Customs
 until their return, as they held and enjoyed in former
 years last preceding the late War. But so neverthe-
 less, that the said Ships and Merchants bring with
 them Certificates under the Seal of the Officers of
 the said King of Great Britain deputed thereunto,
 testifying the said Ships to belong to Subjects of the
 King of Great Britain. And likewise before their
 passage they give sufficient and good security for pay-
 ing the same in place convenient to the Collection of
 the Customs of the said King of Denmark, at their
 return, or if they shall not return, within three moneths
 time at the furthest, if they do not pay the same at
 their said first passage.

XIII. And furthermore it is Agreed, that whatsoever
 Merchandise the Subjects of the King of Great Bri-
 tain shall land at Elfishore, and there lay in their Store-
 houses, to no other end, or then to put on board again
 entire, and transport them to other parts, they shall
 be obliged to pay onely the same duties for such Mer-
 chandise, and no more, then is wont to be paid in this

case by the Dutch Nation or any other Strangers : Which shall be reciprocally observed to the Subjects of the King of Denmark after the same manner in England.

XIV. **Alfo it is Agreed,** that the Ships and Subjects of the King of Great Britain, shall have their dispatch at Elfignore, as soon as they arrive there without delay, No Ships of what Nation soever having preference before them in this behalf : Except the Inhabitants of certain places, who have anciently held a privilege to that purpose, and still do.

XV.

If any Subject of either Prince shall happen to die in the Dominions, or Territories of the other, it shall be lawful for him to dispose of his estate, both money and goods in any manner whatsoever: And if any one die within the Kingdoms, or Provinces of the other Prince without making any such dispositions: then the Goods by him left, moveable or immoveable, of whatever nature or condition the same shall be, shall be faithfully preserved for the use of the right Heir, and for satisfaction of such debts as the party deceased was justly bound to pay : And to that end, so soon as any Subject of either Prince shall die in the other Prince's Dominions, the Consul or Publick Minister then residing there, shall have right to possess the said Moneys and Goods, and shall make Inventories of the same before some Magistrate of the place ; Which Goods shall afterwards remain in his hands, to be answered

to the Heirs and Creditors as aforesaid; But if no such Consul or Publick Minister shall be there, then it shall be lawfull for two Merchants of the same Countrey with the party deceased to possess the Goods left by him, to preserve them, and in like manner to answer them to the Heirs and Creditors. Which notwithstanding is to be so understood, that no Papers, or Books of Accounts are by this Article to be exposed to the inspection of the said Magistrate, but onely the real Goods and Merchandise of the deceased; And that the said Magistrate within the space of fourty eight hours, after notice given and request made, shall be obliged to be present, otherwise the said Inventories shall be made without him.

XVI.

It shall be lawfull for either of the Confederates and their Subjects or People to Trade with the Enemies of the other, and to carry to them, or furnish them with any Merchandises (Prohibited onely, which they call Contrabanda, excepted) without any impediment; unless in Ports and Places besieged by the other; Which nevertheless if they shall so do, it shall be free for them either to sell their Goods to the Besiegers, or betake themselves to any other Port or Place not besieged.

XVII.

It is also Agreed, That it shall be free and lawfull for the Subjects of either Prince, Trading in the Dominions

minions or Ports of the other, there to remain and reside for the buying and selling Commodities, without any restriction of time or limitation to be imposed upon them by any Officers or Magistrates of the said Dominions or Ports, They Paying the accustomed Duties for all Goods and Merchandise by them imported, or exported; And further provided that they trade with none, but such as are Citizens, or Burgers of some City, or Town, within the Kingdoms of Denmark or Norway, and that onely by whole-sale, and not by parcells or retail.

XVIII.

Furthermore, for the better encouragement of Trade and Commerce, and for the utter avoiding of all Frauds and Disputes that may arise between the Officers of Ports and Merchants, It is Agreed and Concluded, That all and singular Duties shall be demanded and paid according to the Printed Tariffe, (or Book of Rates) wherein shall be comprised all Customes and Duties to be paid as well for Goods in the respective Ports, as for passage through the Sound; And to the end that this may be the more Strictly observed, Both Kings shall not onely enjoin his Officers and Collectors of his Customes under the highest penalty, not to do any thing that may frustrate or exclude this Agreement; But also that they do not by Molestation or Exaction, cause any trouble, or offer any injury to the Subjects of either King.

XIX. More-

XIX.

Moreover; it is concluded and Agreed, That the King of Denmark shall constitute the Overseers of his Customs or others, Commissioners for re-measuring all Ships belonging to the Subjects of the King of Great Britain Trading in Norway, according to their burden and contents, so as that what has been hitherto not rightly observed; either in excess or defect, may be hereafter reduced into better Order.

XX.

But lest such freedom of Navigation or Passage of the One Allie and His Subjects and People, during the War that the other may have by Sea, or Land with any other Countrey, may be to the prejudice of the other Allie; and that Goods and Merchandise belonging to the enemy, may be fraudulently concealed under colour of being in Amity; For the preventing of fraud, and clearing all suspicion, It is thought fit, that the Ships, Goods and Men belonging to the other Confederate in their passage and Voyages, be accompanied with Letters of Passe-port and Certificate; The forms whereof to be as follows;

CHARLES

CHARLES the Second by the Grace of
God, King of Great Britain, &c.

CHRISTIAN the Fifth by the Grace of
God, King of Denmark and Norway, &c.

BE it known unto all and singular to whom these
Our Letters of Safe-conduct shall be shewn:
That Our Subject and Citizen of Our
City of _____ hath humbly repre-
sented unto Us, that the Ship called

of the burthen of **T**uns, doth belong unto them and others our Subjects, and that they are sole Owners and Proprietors thereof, and is now Laden with the Goods which are contained in a Schedule which she hath with her from the Officers of our Customs, and do Solely, Truly and Really belong to: Our Subjects or others in Neutrality, bound immediately from the Port of **Amsterdam** to such other place or places, where she may conveniently Trade with the said Goods, being not Prohibited nor belonging to either of the parties in hostility, or else find a Freight, Which the foresaid **W. L. van der Grinten** Our Subject having attested by a writing under his hand, and affirmed to be true by Oath, under Penalty of confiscation of the said Goods, We have thought fit to grant him these our Letters Of Safe-conduct: And therefore We do hereby respectively Pray and desire All Governors of Countries and Seas, Kings, Princes, Commonwealths, and free Cities, and more especially the Parties now in War, and their Commanders, Admiralls,

miralls, Generalls, Officers, Governours of Ports, Commanders of Ships, Captains, Freighters and all others whatsoever having any Jurisdiction by Sea, or the Custody of any Port, whom the Ship aforesaid shall chance to meet, or among whose Fleet or Ships it shall happen to fall or make stay in their Ports, that by vertue of the League and Amity, which we have with any King or State, they suffer the said Master with the Ship persons, things, and all Merchandise on board her, nor onely freely and without any Molestation, Detention, or Impediment to any place whatsoever to pursue his Voyage, but also to afford him all Offices of Civility as to Our Subject if there shall be occasion; Which upon the like or other occasion, We and Ours shall be ready to return,

Given the
year

day of

in the

C

WE

WE the President, Consuls and Senators of the City of
do Attest and Certifie, That on the
day of in the year
Personally before us came and appeared
Citizen and Inhabitant of the City or Town
of and under the Oath wherein he
stands bound to Our Sovereign Lord the King, did
declare unto us, That the Ship or Vessell called
of the burthen of Tuns doth
belong to the Port, City or Town of
in the Province of And
that the said Ship doth justly belong onely to him
and others, Subjects of Our said Sovereign Lord, and
now bound directly from the Port of
laden with the Goods mentioned in a Schedule recei-
ved from the Officers of the Customs, and that he hath
affirmed under the Oath aforesaid, that the foremen-
tioned Vessell with her Goods and Merchandise doth
onely belong to Subjects of His Majestie, and doth
carry no Goods prohibited, which belong to either of
the Parties now in War.

*In testimony whereof we have caused this Certificate to
be subscribed by the Syndic of Our City, and sealed with
Our Seal.*

Given, &c.

When

When therefore the Merchandise, Goods, Ships, or Men of either of the Confederates and their Subjects and People, shall meet in open Sea, Streights, Ports, Havens, Lands and places whatsoever, the Ships of War, whether Publick or Private, or the Men, Subjects and People of the other Confederate; Upon exhibiting onely the foresaid Letters of Safe-conduct and Certificate, there shall be nothing more required of them, nor shall Search be made after the Goods, Ships or Men, nor shall they be any other ways whatsoever molested or troubled; But suffered with all freedome to pursue their intended Voyage; But if this solenne and set form of Passport and Certificate be not exhibited, or that there be any other just and urgent cause of Suspicion; Then shall the Ship be Searched, which is nevertheless in this case onely understood to be permitted, and not otherwise. If by either party any thing shall be committed contrary to the true meaning of this Article, against either of the Confederates, each of the said Confederates shall cause His Subjects and People offending to be severely punished, and full and entire satisfaction to be forthwith given, and without delay, to the party injured and His Subjects and People for their whole loss and expences.

XXI.

It is also concluded and Agreed, that all Ships of Subjects and People of the King of Great Britain together with their lading and Merchandise, passing by

the Port of Gluckstad, or other Places and Towns, under the Dominion of the King of Denmark, situate upon the Elve-stream, both going and returning, shall be free and exempt from all Custome, Impost, Search, Seizure, and Molestation, except onely the case of Search in the time of War, when the King of Denmark hath War with any other King or State.

XXII.

If the Subjects of either Prince be hurt or injured in the Territories of the other ; Then the King of that place where the injury is done, shall take care that speedy justice be administred according to the Laws and Customs of the Country ; And that the persons guilty be duely punished, with satisfaction to be made to the party wronged.

XXIII.

It is also Agreed, That no ships whatsoever, Vessels, or Merchandise laden on ships of whatsoever nature kind or quality, howsoever taken, belonging to any the Subjects of either of the aforesaid Kings, under any colour or pretence whatsoever be adjudged Prize, unless by a Judicial Examination and Process in form of Law, in a Court of Admiralty for Prises taken at Sea in that behalf lawfully Constituted.

XXIV.

Both parties shall cause justice and equity to be Administred,

Administred to the Subjects and People of each other, according to the Laws and Statutes of either Countrey, Speedily, and without long and unnecessary formalities of Law and expences, in all causes and Controversies, as well now depending, as which may hereafter arise.

XXV.

If the ships of either of the Confederates, and their Subjects and People, whether they be Merchant Men, or Men of War, shall happen to run on ground, or fall upon Rocks, or be forced to lighten themselves, or shall otherwise suffer Ship-wrack (which God forbid) upon the Coasts of either King, the foresaid Ships with their tackle, Goods, and Merchandise, or whatsoever shall be remaining of them, shall be Restored^d to their owners and Proprietors; Provided they or their Agents and Proctors do claim the said ships and Goods, within the space of a year and a day after such Ship-wrack suffered, saving always the Rights and Customs of both Nations. The Subjects also and Inhabitants dwelling upon the said Coasts and Shores, shall be obliged to come in to their help in case of danger, and as much as in them lies to give their assistance; And shall do their utmost endeavour, either for the freeing of the Ship, or saving the Goods, Merchandise and Apparel of the said Ship, and what else of the same they shall be able, and for the conveying the same into some safe place in order to be restored to the Owners; They paying Salvage, and giving such recompence to the persons by whose assistance
and

and diligence the said Merchandise and Goods, shall have been recovered and preserved as they shall deserve. And finally both Parties, in case of such misfortune shall see observed on their side, what they would desire to have observed and done on the other side.

XXVI.

The Commanders of Ships, or Governours, Soldiers, Mariners and Company belonging to the same; As also the Ships themselves, and the Goods and Merchandise on board them, shall not be detained by any Arrest or Seizure upon any Warrant either General or Special, or for any cause, unless for the defence and preservation of the Kingdom; Which yet shall not be understood to be meant of Arrests layed by Authority of law, for debt contracted upon any other lawful occasion whatsoever, in which case it shall be lawful to proceed according to the rules of justice and Law.

XXVII.

It shall be free for the Merchants of both Kingdoms, their Factors and servants, and also the Masters and Mariners of Ships upon the Sea, and in other Waters, as likewise in the Ports, and upon the Coasts and Lands of either Confederate, going, returning and walking, for the defence of their Persons and Goods, to carry any kind of portable Arms, as well offensive as defensive, so that they give no just cause of suspicion to the Commanders and Magistrates of any

any place, of any Plots or Contrivances against the Publick or private Peace.

XXVIII.

The Convoys or Ships of War of either Party, meeting in their Voyage, or overtaking any Merchant Ships, or others belonging to the other Confederate or His Subjects, and making the same course at Sea, in Europe or out of Europe, shall be obliged to guard and defend them as long as they shall hold the same course together.

XXIX.

For the greater security of Commerce and freedom of Navigation, it is Concluded and Agreed, That neither Part, as much as may be, and shall lie in their powers, shall permit that Publique Pirates or other Robbers upon the Sea, in any the Ports of the other Kingdom or Country have their Receptacles or Retreats, or shall suffer that any of the Inhabitants, or People of either Prince, do receive them into their houses, or supply them with provisions, or be otherwise assisting to them; But on the contrary shall endeavour, that the said Pirates or Robbers and their Partisans and Accomplices be apprehended, and punished according to their demerit, and the Ships and Goods, as much as can be found of them, restored to the lawful Owners or their Agents, Provided their right be made appear by due proof of law in the Court of Admiralty.

XXX. It

It is concluded and Agreed, that there shall be at all times free access for the Subjects and People of either Party, to the Ports and Coasts of both Princes, and it shall be lawful for them to remain therein, and from thence again to depart, and also to pass through the Seas and Territories whatsoever of either King respectively (Not committing any waste or injury) not onely with Merchant Ships and Ships of burthen, but also with Ships of War, whether the same be upon the Publick account, or Acting by private Commissions; whether they enter by reason of Tempest, and for avoiding the danger of the Sea, or to refit or buy provisions: So that they exceed not the number of six Ships of War, if they enter of their own accord, nor shall they remain longer in or about the Ports, then shall be necessary for the refitting of their Ships, buying provisions or other necessaries: And if they should upon occasion desire to come into the said Ports with a greater number of Ships of War, It shall in no wise be lawful for them to enter thereinto without first giving timely notice by Letter of their coming, and obtaining leave of those to whom the foresaid Ports belong. But if by force of Tempest or other urgent necessity, they shall be compelled to put into harbour, in such case without any precedent notice, the Ships shall not be restrained to a certain numbers But with this condition nevertheless, that their Admiral or Commander in chief presently after his Arrival, shall make acquainted the chief Magistrate or
Commander

Commander of the Place, Haven or Coast, whether they are come, with the cause of his coming; Nor shall he stay longer there, then shall be permitted him by the chief Magistrate or Commander, and shall not act or attempt any Hostility in the Ports whereinto he hath betaken himself, or any thing prejudicial to him of the Two Confederates to whom they shall belong.

It shall not be lawfull for the Subjects of either King, or the Inhabitants of the Kingdoms, or Lands under their obedience, to procure by any Prince or State who is at difference, or in open War with either of the Confederates, Letters Patents, called Commissions, or Reprisals, much less by virtue of such Letters to molest or damnify the Subjects of either. Both the said things shall strictly prohibit their Subjects respectively, that they do not procure or accept from other Princes or States any such Commissions, But shall as much as in them lies, forbid and hinder the committing of any depredations by virtue of such Commissions.

XXXII

If any Ship or Ships belonging to the Subjects of either King be taken in the Ports of either by a third party, they in whose Port, or within whose jurisdiction whatsoever the foresaid Ships shall be taken, shall be mutually obliged to assist their endeavour together with the other party, for the finding and retaking

retaking the said Ship or Ships, and restoring them to the Owners; Which nevertheless shall be done at the charge of the said Owners, or the Parties interested.

XXXIII.

But if also in the Ships taken by the Subjects of either Confederate, and brought into any Port belonging to the other, there be found any Seamen or other Persons who are Subjects of that Confederate into whose Ports or Rivers the prize shall be brought, they shall be civilly used by those who have taken them, and restored to their liberty forthwith and without ransom.

XXXIV.

But if a Ship of War or any other laden with prohibited Goods belonging to the other Crown happen to be taken; It shall not be lawful for the Captains or Commanders who have taken her to open or break up any Chests, Tons or Bails on board the said Ship, nor likewise to transport or otherwise alienate any of her Merchandise, until they have been first put on shore, and an Inventory thereof made before the Judges of the Admiralty.

XXXV.

And for the greater security of the Subjects of both Kings, and for preventing of all violence towards them from the said Ships of War, All Commanders of any the

the Ships of War belonging to the King of Great Britain and all other His Subjects whatsoever, shall be strictly charged and required, that they do not Molest or Injure the Subjects of the King of Denmark; If they shall do otherwise, they shall be liable to answer it in their Persons and Estates, and shall therein stand bound until just Satisfaction and Compensation shall be made for the wrongs by them done, and the Damage thereby sustained or to be sustained: In like manner, shall all Commanders of the Ships of War belonging to the King of Denmark, and all other His Subjects whatsoever be strictly under the same penalties charged and required that they do not molest or injure the said Subjects of the King of Great Britain; Provided nevertheless, that all the foresaid actions be examined and adjudged by due and legal proceeding in the Court of Admiralty of both Kings; Or if it shall rather seem meet to either of the parties, being a stranger in the place where the controversy is to be decided, they shall be examined before certain Commissioners, which both Kings so soon as they shall be desired, shall appoint to that end, that so proceedings by this means may be not onely carried on without great expenses, but also ended within three moneths at furthest.

XXXVI.

Both Kings shall take care, That judgment and sentence in things taken at Sea, be given according to the rules of justice and equity by persons not suspected or interested, and being once given by such Judges as

aforesaid, they shall straitly charge and require their Officers and whom it shall concern, to see the same put in due execution according to the form and tenour thereof.

XXXVII.

If the Ambassadors of either King, or any other Publick Ministers residing with the other King, shall happen to make complaint of any such sentence, that King to whom complaint shall be made, shall cause the said judgment and sentence to be reheard and examined in His Council: That it may appear, whether all things requisite and necessary have been performed according to the rules of this Treaty and with due caution: If the contrary shall happen, it shall be redressed, which is to be done at the furthest within three moneths time.

Neither shall it be lawful either before the giving of the first sentence, or afterwards during the time of Re-hearing, to unlade or sell and make away the Goods in controversie, unless it happen to be done by consent of parties, and to prevent the perishing of the said Goods and Merchandise.

XXXVIII.

The said Kings shall have in each others Court their Ministers, and in certain Ports their Consuls, for the better and more easie communicating and proposing such things, as they shall think advantageous to the Publick interest, or private concerns of any particular Person.

XXXIX. No.

XXXIX.

No Private injury shall in any wise lettén this Treaty, nor shall raise any discord or hatred between the foresaid Nations, but every man shall answer for his own doings, and shall be responsible therefore; Nor shall one man suffer for that which another has offended in, by having recourse to Reprisals, or such like rigorous proceedings, unless justice be denied or delayed longer then is fitting. In which case it shall be lawful for that King, whose Subject has received the Injury, to proceed according to the rules and prescriptions of the Law of Nations untill reparation be made to the party injured; Provided notwithstanding that he have first in due manner advertised the other King thereof.

XL.

Also it is Agreed that if the Hollander, or any other Nation whatsoever (the Swedish Nation only excepted) hath already, or shall hereafter obtain any better Articles, Agreement, Exemptions or Priviledges then what are contained in this Treaty from the King of Denmark, that the same and like Priviledges, shall be likewise Granted to the King of Great Britain, and His Subjects effectually and fully to all intents and purposes; And on the other side if the Hollander or any other Nation whatsoever, hath or shall obtain from His Majesty of Great Britain, any better Articles, Agreements, Exemptions or Priviledges then what are contained

contained in this Treaty, that the same and like Privileges shall be granted to the King of Denmark and His Subjects also, in most full and effectual manner.

XLI.

It is also Concluded, That former Treaties and Leagues at any time heretofore made between the foresaid Confederates or their Predecessors Kings, as well for the Kingdoms of Great Britain, &c. as for the Hereditary Kingdoms of Denmark and Norway, &c. respectively, be not in the least reputed or taken to be broken and abolished by any Agreement, Covenants or Articles in the present Treaty contained; But that the same remain in full force, effect and virtue, so far as they are not contrary or repugnant to the present Treaty or any Article therein contained.

XLII.

Finally, it is Covenanted, concluded and agreed, that the foresaid Kings shall sincerely and *bona fide* observe all and singular the Articles contained and set down in this Treaty, and shall cause them to be observed by their Subjects and People; Nor shall transgress the same directly or indirectly, or suffer the same to be transgressed by their Subjects or People, and shall Ratify and Confirm all and singular the premises as before Agreed, by Letters Patents Subscribed with their hands, and Sealed with their Great Seales in good sufficient and effectual form, and shall deliver the same reciprocally within three Moneths after the date of these

(31)

these Presents, or cause them to be delivered, in good
faith and reality, and with effect.

Given at Copenhagen the 12th day of July,
1670.

In the *SAVOY*,
Printed by the Assigns of *John*
Bill and Christopher Barker,
Printers to the Kings most
Excellent Majesty, 1672.
